

DEC 17 2004

Beiersdorf 702-HCL  
100718-281

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS : GERS-BARLAG et al.  
SERIAL NO. : 09/744,642  
FILED : January 26, 2001  
FOR : EMULSIFIER-FREE FINELY DISPERSE SYSTEMS OF THE  
OIL-IN-WATER AND WATER-IN-OIL TYPE  
ART UNIT : 1617  
EXAMINER : Gina C. Yu

December 17, 2004

Assistant Commissioner for Patents  
P.O.Box 1450, Alexandria,  
VA 22313-1450

TERMINAL DISCLAIMER

Sir:

Your petitioner, Beiersdorf AG, represents that it is the assignee of the above-identified application by virtue of an assignment which was recorded in the U.S. Patent Office on January 26, 2001, at Reel 011513, Frame 0326. Your petitioner hereby disclaims the terminal portion of any patent granted on the above-identified application which would extend beyond the expiration date of U.S. Patent No. 6,592,883 B1 issued July 15, 2003, for *Emulsifier-Free Finely Disperse System of the Water-In-Oil Type*, and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to United States Patent No. 6,592,883 B1 this agreement to run with any

patent granted on the above-identified application and to be binding upon the grantee, its successors or assigns.

Petitioner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term as presently shortened by any Terminal Disclaimer of U.S. Patent No. 6,592,883 B1 in the event that it later: (1) expires for failure to pay a maintenance fee, (2) is held unenforceable, (3) is found invalid, (4) is statutorily disclaimed in whole, (5) is terminally disclaimed under 37 C.F.R. 1.321(a), (6) has all claims cancelled by a reexamination certificate, or (7) is otherwise terminated prior to the expiration of its statutory term as presently shortened by any Terminal Disclaimer, except for the separation of legal title stated above.

The undersigned is an attorney/agent of record and authorized to sign and submit this terminal disclaimer.

ADDITIONAL FEES

The Commissioner is hereby authorized to charge any fees which may be required, including the Terminal Disclaimer fee of \$110.00, or credit any overpayment to Deposit Account No. 14-1263.

Respectfully submitted,

NORRIS, McLAUGHLIN & MARCUS, P.A.

By: Howard C. Lee  
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**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that the foregoing Terminal Disclaimer is being facsimile transmitted to the United States Patent and Trademark Office on the date indicated below:

Date:

December 17, 2004

By: \_\_\_\_\_

Agata Glinska